

IAP12 Rec'd PCT/PTO 19 MAR 2007

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael DEYERLER

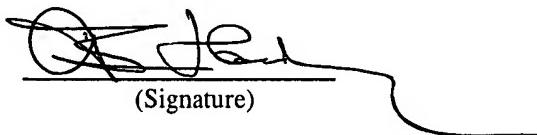
Serial No. : 10/563,212

For : JOINTED MIRROR ARM

Certificate of Mailing Under 37 CFR 1.8

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C. Bruce Hamburg  
(Name)

  
(Signature)

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P.O. Box 1450  
Alexandria, VA 22313-1450

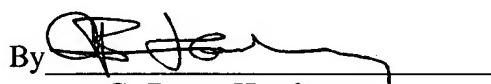
**SUBMISSION OF ENGLISH TRANSLATION OF INTERNATIONAL  
PRELIMINARY EXAMINATION REPORT**

Sir:

Submitted herewith is an English translation of the International Preliminary Examination Report in the PCT application of which the present application is the U.S. National Stage.

Respectfully submitted,

Jordan and Hamburg LLP

By   
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## PATENT COOPERATION TREATY

PCT/EP2005/004042

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
 OF COPIES OF TRANSLATION  
 OF THE INTERNATIONAL PRELIMINARY REPORT  
 ON PATENTABILITY  
 (CHAPTER I OR CHAPTER II)  
 OF THE PATENT COOPERATION TREATY  
 (PCT Rules 44bis.3(c) and 72.2)

To:

SÄGER, Manfred  
 Römersteig 2  
 CH-7304 Maienfeld  
 SUISSE

Date of mailing (day/month/year) 18 January 2007 (18.01.2007)	z. E. <input checked="" type="checkbox"/> Sä	z. K. <input type="checkbox"/>	BÜ <input type="checkbox"/>	WV <input type="checkbox"/>	Abl.
	Vorfrist: 23. Jan. 2007				erl.
Applicant's or agent's file reference S22.8430-OP					IMPORTANT NOTIFICATION
International application No. PCT/EP2005/004042	SÄGER SWISS OFFICE				Official filing date (day/month/year) 15 April 2005 (15.04.2005)
Applicant  LINOS PHOTONICS GMBH & CO. KG et al					

## 1. Transmittal of the translation to the applicant.

- The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).
- The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

## 2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, ID, IL, IN, IS, JP, KE, KG, KM, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

## 3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
 34, chenin des Colombettes  
 1211 Geneva 20, Switzerland

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Authorized officer

Agnes Wittmann-Regis

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## PATENT COOPERATION TREATY

## PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference S22.8430-OP	FOR FURTHER ACTION		See item 4 below
International application No. PCT/EP2005/004042	International filing date (day/month/year) 15 April 2005 (15.04.2005)	Priority date (day/month/year) 03 May 2004 (03.05.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant LINOS PHOTONICS GMBH & CO. KG			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
3. This report contains indications relating to the following items:
- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Box No. I   | Basis of the report   |
| <input type="checkbox"/> Box No. II             | Priority  |
| <input type="checkbox"/> Box No. III            | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/> Box No. IV             | Lack of unity of invention  |
| <input checked="" type="checkbox"/> Box No. V   | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> Box No. VI             | Certain documents cited   |
| <input checked="" type="checkbox"/> Box No. VII | Certain defects in the international application  |
| <input type="checkbox"/> Box No. VIII           | Certain observations on the international application   |
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report 09 January 2007 (09.01.2007)	
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  Agnes Wittmann-Regis e-mail: pt06@wipo.int
Facsimile No. +41 22 338 82 70	

## PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

TRANSLATION

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing **See form PCT/ISA/210**  
(day/month/year)

Applicant's or agent's file reference <b>S22.8430-OP</b>		FOR FURTHER ACTION See paragraph 2 below	
International application No. <b>PCT/EP2005/004042</b>	International filing date (day/month/year) <b>15.04.2005</b>	Priority date (day/month/year) <b>03.05.2004</b>	
International Patent Classification (IPC) or both national classification and IPC <b>G02B7/00, F21V21/28, F21S8/00, G02B26/10, G02B6/00</b>			
Applicant <b>LINOS PHOTONICS GMBH &amp; CO. KG</b>			

## 1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

## 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

## 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/004042

Box No. I	Basis of this opinion
<p>1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p> <p>2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p> <p>3. <input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p> <p>4. Additional comments:</p>	

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY		International application No. PCT/EP2005/004042
Box No. V	Reasoned statement under Rule 43bis,1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
1. Statement		
Novelty (N)	Claims	1-8 YES Claims _____ NO
Inventive step (IS)	Claims	1-8 YES Claims _____ NO
Industrial applicability (IA)	Claims	1-8 YES Claims _____ NO
2. Citations and explanations:		
1 Reference is made to the following document: D1: DE 29 30 308 A1 (ORIGINAL HANAU HERAEUS GMBH) 29 January 1981 (1981-01-29)		
2 Document D1 is considered to be the closest prior art. D1 discloses the features of the preamble of claim 1. The subject matter of independent claim 1 differs from D1 in that a scanner is provided before the entry point into the intermediate articulated arm and that an optical imaging system is provided after the exit point from the intermediate articulated arm.		
2.1 The subject matter of claim 1 is therefore novel (PCT Article 33(2)).  Therefore, the problem addressed by the present invention can be considered that of deflecting the radiation at the fixed entry point of the intermediate articulated arm, as desired, so that said radiation can be used further at the variable exit point, without having been subjected to interference.		
2.2 The solution proposed in claim 1 of the present		

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITYInternational application No.  
PCT/EP2005/004042

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<p>application involves an inventive step (PCT Article 33(3)) because this solution has not been suggested by the prior art.</p> <p>2.3 Claims 2-8 are dependent on claim 1 and therefore also meet the PCT requirements for novelty and inventive step.</p>	

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/004042

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

The features of the claims are not denoted by reference signs between parentheses (PCT Rule 6.2 b).